

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER

February 10, 1997

UNITED STATES OF AMERICA,)	
Complainant)	
)	8 U.S.C. 1324c Proceeding
vs.)	
)	OCAHO Case No. 96C00099
MARIA ALEJANDRINA)	
MEDINA-GUERRERO,)	
Respondent)	

ORDER GRANTING COMPLAINANT'S
MOTION FOR DEFAULT JUDGMENT

On December 9, 1996, the undersigned issued an Order to Show Cause Why Complainant's Motion For Default Judgment Should Not Be Granted, in which respondent was ordered to show cause, within 15 days of her acknowledged receipt of that order, why complainant's Motion for Default Judgment, filed on November 4, 1996, should not be granted, or, in the alternative, to have filed an answer comporting with the requirements set forth in the procedural regulations, specifically, 28 C.F.R. § 68.9(c).

Respondent's copy of the Order to Show Cause was served via certified mail-return receipt requested. Because the postal service's attempts to effect in-hand delivery at respondent's address were unsuccessful, on December 23, 1996, the same Order to Show Cause was reissued and served on respondent at her last known address by regular mail.

Complainant constructively served that order upon respondent by having mailed it to her last known address, in accordance with the provisions of the pertinent procedural rule, 28 C.F.R. § 68.3(a)(3).

To date, however, no response or answer has been received. Accordingly, complainant's Motion for Default Judgment is granted.

Accordingly, respondent is found to have violated IRCA, 8 U.S.C. § 1324c(a)(2), in the manner alleged in the single count of the Complaint namely, by having knowingly possessed and/or provided the forged, counterfeited, altered and falsely made documents described therein, namely a Social Security card bearing the number 583-38-2547 and the name Maria Alejandra Medina G, and a resident alien card bearing the number A062819263 and the name Medina-G. Maria, Alejandrina, and did so after November 29, 1990, for the purpose of satisfying any requirement of the INA.

Respondent is ordered to cease and desist from further violations of IRCA, 8 U.S.C. § 1324c, and is further ordered to pay a civil money penalty totaling \$1500 for the single violation at issue.

Joseph E. McGuire
Administrative Law Judge

Appeal Information

This Order shall become the final order of the Attorney General unless, within 30 days from the date of this Order, the Chief Administrative Hearing Officer shall have modified or vacated it. Both administrative and judicial review are available to respondent, in accordance with the provisions of 8 U.S.C. § 1324c(d)(4) and (5), and 28 C.F.R. § 68.53.

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of February, 1997, I have served copies of the foregoing Order Granting Complainant's Motion for Default Judgment to the following persons at the addresses shown, in the manner indicated:

Office of Chief Administrative Hearing Officer
Skyline Tower Building
5107 Leesburg Pike, Suite 2519
Falls Church, Virginia 22041
(original hand delivered)

Dea Carpenter, Esquire
Associate General Counsel
Immigration and Naturalization Service
425 "I" Street, N.W., Room 6100
Washington, D.C. 20536
(one copy sent via regular mail)

Alan Rabinowitz, Esquire
Immigration & Naturalization Service
880 Front Street, Suite 1234
San Diego, California 92101
(one copy sent via regular mail)

Ms. Maria Medina-Guerrero
4144 Estrell Avenue
San Diego, California 92105
(one copy sent via regular mail)

Cathleen Lascari
Legal Technician to
Joseph E. McGuire
Administrative Law Judge
Department of Justice
Office of the Chief Administrative
Hearing Officer
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